

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

In re: PHARMACEUTICAL INDUSTRY
AVERAGE WHOLESale PRICE
LITIGATION

)
)
) MDL No. 1456
)
)

) Civil Action No. 01-12257-PBS
)
)

) Hon. Patti B. Saris
)
)

THIS DOCUMENT RELATES TO:

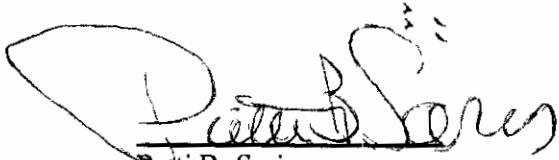
)
)
) *United States ex rel. Edward West, et al., v.*
) *Ortho-McNeil Pharmaceutical, Inc. and*
) *Johnson & Johnson.*
)
)

) CIVIL ACTION NO. 06-12299-PBS
)

~~PROPOSED~~ **ORDER TO EXTEND TIME**

IT IS HEREBY ORDERED THAT defendant Ortho-McNeil Pharmaceutical, Inc., shall have up to and including ten (10) days after the filing of West's Second Amended Complaint to file answer or otherwise plead to that complaint. In the event that West decides not to file a Second Amended Complaint on or before March 20, 2008, Ortho-McNeil shall have until March 30, 2008, to answer the First Amended Complaint.

Dated: February 28 2008


Patti B. Saris
United States District Judge

CH1 4162744v1
CH1 4165521v1

If there is a second amended Complaint, Ortho-McNeil shall file an answer and simply preserve a motion to dismiss on the original grounds. I don't want to go through another round of briefing on the same issue. Patti B. Saris